

CITY OF NORTH MIAMI
EMERGENCY ORDER REQUIRING THE USE OF FACIAL COVERINGS
(EFFECTIVE THURSDAY, APRIL 9, 2020 @ 12:00 p.m.)

WHEREAS, COVID-19 is a respiratory illness caused by a virus that spreads rapidly from person to person and may result in serious illness or death, and constitutes a clear and present threat to the lives, health, welfare, and safety of the people of the City of North Miami, Florida; and

WHEREAS, on March 9, 2020, Florida Governor Ron DeSantis promulgated Executive Order 20-52 and declared a State of Emergency in Florida in response to COVID-19; and

WHEREAS, on Friday, March 13, 2020, I, as Interim City Manager of the City of North Miami, declared a state of emergency which, among other requirements, imposed emergency measures effective immediately; and

WHEREAS, this Order is given because of the propensity of the virus to spread person to person and because there is reason to believe that the virus will continue to spread; and

WHEREAS, pursuant to Section 252.46, Florida Statutes, municipalities have the power to issue emergency orders with the force of law; and

WHEREAS, the United States Centers for Disease Control and Prevention (“CDC”) recommends “wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain”; and

WHEREAS, it is necessary and appropriate to take action to ensure that COVID-19 remains controlled, and that residents in the City of North Miami remain safe and secure.

Now, therefore, I, Arthur H. Sorey, III, Interim City Manager, by virtue of the power vested in me by the North Miami Code of Ordinances pursuant to the state of emergency that I executed on Friday, March 13, 2020, I hereby **ORDER** and **PROMULGATE** the following additional emergency measures, effective **April 9, 2020 at 12:00 p.m.** (the “Order”):

Section 1. Covering of Nose and Mouth.

a) Except as provided herein, all employees and customers of grocery stores, hardware stores, pharmacies and restaurants are **required** to wear a form of covering over their noses and mouths, at all times, while inside the grocery store, hardware store, pharmacy or restaurant facility. All individuals providing delivery services shall wear a form of covering over their noses and mouths while making deliveries.

b) A covering over the nose and mouth may include a face mask, homemade mask, or other cloth covering, such as a scarf, bandana, handkerchief or other similar cloth covering.

c) In addition to the requirements applicable to grocery stores, hardware stores, pharmacies and restaurants, employees and customers of all other essential retail and commercial establishments are **strongly encouraged** to wear a form of covering over the nose and mouth (as described above).

d) All essential retail and commercial establishments are **strongly encouraged** to implement policies for employees to use other personal protective equipment, such as gloves, subject to the availability of such items.

e) The requirements of this Section shall not apply to any outdoor activity permitted under any applicable City, County, or State order, except as provided herein with respect to persons providing delivery services.

f) Nothing herein shall restrict any employee or customer from accessing any essential retail or commercial establishment to address any emergency or other exigent circumstance, even if a covering over the nose and mouth is not readily accessible at the time of such emergency or other exigent circumstance.

g) Medical and surgical face masks, such as "N95" masks or other similar medical or surgical masks, are in short supply and should be reserved for health care personnel and other first responders with the greatest need for such personal protective equipment. Persons are encouraged to review and comply with the CDC and Florida Department of Health guidelines on personal protective equipment, including with respect to the use of a medical or surgical face mask, such as an "N95" mask or other similar medical or surgical mask.

Section 2. This Order is in addition to, and supplements, the City's Emergency Orders. All requirements of City Emergency Orders, Miami-Dade County Emergency Orders, and State of Florida Executive Orders shall be strictly adhered to at all times.

THE EMERGENCY MEASURES THAT HAVE BEEN ORDERED AND PROMULGATED ABOVE SHALL BE EFFECTIVE APRIL 9, 2020 AT 12:00 p.m. UNTIL RESCINDED BY THE INTERIM CITY MANAGER OR UNTIL THE TERMINATION OF THE STATE OF EMERGENCY.

Dated: 4/9/2020

DocuSigned by:
Arthur H. Sorey, III
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By: Arthur H. Sorey, III, Interim City Manager

ATTEST:
DocuSigned by:
Vanessa Joseph
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Vanessa Joseph, City Clerk

Vanessa Joseph, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

DocuSigned by:

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Jeff P. H. Cazeau, City Attorney